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Court 5.3.2021
No. 11
G.S.Da
s

MAT 198 of 2020
With
CAN 1 of 2019
(Old NO. 5122 of 2019)
(Not in the file)
-And-
CAN 3 of 2020
(Old No. 2109 of 2020)
Pulak Chakraborty
-Vs-
Asha Rani Hijli & Ors.

Mr. Jaydip Kar
Mr. Arka Kr. Nag

... for the Appellant

Mr. Pantu Deb Roy
Mr. Subrata Ghosh Biswas

... for the State

Mr. Sujoy Chakraborty
Ms. Shashwati Bhattacharjee

... for the respondent no.1

Party/Parties is/are represented in the order of
their name/names as printed above in the cause title.

Mr. Kar, Learned Senior Counsel with Mr. Nag,
Learned Advocate, appear in support of the appeal and
its connection application being CAN 3 of 2020 (Old
No. CAN 2109 of 2020), which is an application for
restoration of the appeal and its other connected
application for interim relief which was dismissed for

default.

Mr. Deb Roy, Learned Counsel, appears for the State with Mr. Biswas, Learned Advocate.

Mr. Chakraborty, Learned Counsel, appears for the respondent no.1 with Ms. Bhattacharjee, Learned Advocate.

It transpires from the record that that appeal and the connected application belong to the Group-IX (Residuary) category of cases. This Court does not therefore have the jurisdiction to take up for consideration the application *simplicitor* without simultaneously taking up the hearing of the appeal under the category '*Irrespective of Classification of Cases*' unless such application belong to the Group V (Panchayats Co-operative Societies and Municipalities) category of cases.

Accordingly, **MAT 198 of 2020** with **CAN 1 of 2019**, which is treated as on day's list with the consent of the parties and **CAN 3 of 2020** stand **released** from this Bench.

Parties are at liberty to take steps before the appropriate Bench.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

(Hiranmay Bhattacharyya,J.) (Subrata Talukdar,J.)